# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

IN RE TRICOR DIRECT PURCHASER ANTITRUST LITIGATION	) ) C.A. No. 05-340 (KAJ) (consolidated)
THIS DOCUMENT RELATES TO:	)
ALL ACTIONS	) ) )
IN RE TRICOR INDIRECT PURCHASER ANTITRUST LITIGATION	) C.A. No. 05-360 (KAJ) ) (consolidated) )
THIS DOCUMENT RELATES TO:	
ALL ACTIONS	) _)

# AMENDED NOTICE OF TAKING THE VIDEO-TAPED DEPOSITION OF **CATHY ACKERMAN**

PLEASE TAKE NOTICE that, pursuant to the Federal Rules of Civil Procedure, Plaintiffs in the above-referenced action will take the video-taped deposition upon oral examination of Cathy Ackerman. This deposition will occur as follows:

<u>Date</u>	<u>Time</u>	<u>Place</u>
October 20, 2006	9:30 a.m.	Deer Path Inn 255 East Illinois Road Lake Forest, Illinois 60045

The testimony of the witness will be video-taped and will be recorded and transcribed by a court reporter. The deposition will continue from day to day until completed. All counsel are invited to attend and cross-examine.

Dated: October 11, 2006

#### Respectfully submitted,

### /s/ Jeffrey S. Goddess

Jeffrey S. Goddess (Del. Bar No. 630) Jessica Zeldin (Del. Bar No. 3558) Rosenthal, Monhait & Goddess, P.A. 919 Market Street, Suite 1401 P.O. Box 1070 Wilmington, DE 19899-1070 jgoddess@rmgglaw.com jzeldin@rmgglaw.com (302) 656-4433

#### /s/ Elizabeth M. McGeever

Elizabeth M. McGeever (Del. Bar No. 2057)
Prickett Jones & Elliott, P.A.
1310 King Street
P.O. Box 1328
Wilmington, DE 19899
emmcgeever@prickett.com
(302) 888-6521
Counsel for Walgreen Co., Eckerd Corporation,
The Kroger Co., Maxi Drug, Inc. d/b/a Brooks
Pharmacy, Albertson's Inc., Safeway, Inc.,
Hy-Vee, Inc., American Sales Company, Inc.
CVS Pharmacy, Inc., Rite Aid Corporation and Rite
Aid Hdqtrs. Corp.

### /s/ A. Zachary Naylor

A. Zachary Naylor (Del. Bar No. 4439)
Chimicles & Tikellis LLP
One Rodney Square
P.O. Box 1035
Wilmington, DE 19899
zacharynaylor@chimicles.com
(302) 656-2500
Liaison Counsel for Indirect Purchaser Class

/s/ Jonathan L. Parshall

Jonathan L. Parshall (Del. Bar No. 3247) Murphy, Spadaro & Landon 1011 Centre Road, Suite 210 Wilmington, DE 19805 jonp@msllaw.com (302) 472-8100 Attorneys for Pacificare Health Systems, Inc.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on October 11, 2006 I electronically filed the foregoing document using CM/ECF, which will send notification of such filing to all registered participants, including:

Josy W. Ingersoll, Esquire
John W. Shaw, Esquire
Karen Keller, Esquire
Young Conaway Stargatt
& Taylor LLP
The Brandywine Building
1000 West Street, 17th Floor
P. O. Box 391
Wilmington, DE 19899-0391

Mary B. Graham, Esquire Morris, Nichols, Arsht & Tunnell LLP 1201 North Market Street P. O. Box 1347 Wilmington, DE 19899

Frederick L. Cottrell, III, Esquire Anne Shea Gaza, Esquire Richards Layton & Finger One Rodney Square 920 North King Street Wilmington, DE 19801

Mary B. Matterer, Esquire
Morris James Hitchens & Williams LLP
222 Delaware Avenue
10th Floor
P. O. Box 2306
Wilmington, DE 19899

Pamela S. Tikellis, Esquire Robert J. Kriner, Jr., Esquire A. Zachary Naylor, Esquire Chimicles & Tikellis LLP One Rodney Square P. O. Box 1035 Wilmington, DE 19899 Jonathan L. Parshall, Esquire Murphy Spadaro & Landon 1011 Centre Road Suite 210 Wilmington, DE 19801

Elizabeth M. McGeever, Esquire Prickett Jones Elliott, P.A. 1310 King Street P. O. Box 1328 Wilmington, DE 19899

Michael I. Silverman, Esquire Lynn A. Iannone, Esquire Silverman & McDonald 1010 N. Bancroft Parkway #22 Wilmington, DE 19805 Patrick Francis Morris, Esquire Morris & Morris 1105 North Market Street Suite 803 Wilmington, DE 19801

I hereby certify that on October 11, 2006 I sent by electronic mail the foregoing

document to the following non-registered participants:

REPRESENTING DIRECT PURCHASER CLASS (C.A. No. 05-340):

Bruce E. Gerstein bgerstein@garwingerstein.com

Barry S. Taus btaus@garwingerstein.com

Adam M. Steinfeld asteinfeld@garwingerstein.com

Rimma Neman rneman@garwingerstein.com

Daniel Berger danberger@bm.net

Eric L. Cramer ecramer@bm.net

Peter Kohn pkohn@bm.net

Neill W. Clark nclark@bm.net

Linda P. Nussbaum lnussbaum@cmht.com

Steig D. Olson solson@cmht.com

David P. Germaine dgermaine@vaneklaw.com

	Joseph Vanek jvanek@vaneklaw.com
	Stuart Des Roches stuart@odrlaw.com
	Andrew Kelly akelly@odrlaw.com
	Adelaida Ferchmin aferchmin@odrlaw.com
	David P. Smith dpsmith@psfllp.com
	Russell A. Chorush rchorush@hpcllp.com
	Michael F. Heim mheim@hpcllp.com
REPRESENTING WALGREEN, ECKERD, KROGER, MAXI, CVS, RITE AID (C.A. No. 05-340):	Elizabeth M. McGeever emmcgeever@prickett.com
	Scott E. Perwin sperwin@kennynachwalter.com
	Lauren Ravkind Iravkind@kennynachwalter.com
	Joseph T. Lukens jlukens@hangley.com
REPRESENTING PACIFICARE (C.A. No. 05-340):	Jonathan L. Parshall jonp@msllaw.com
	William Christopher Carmody bcarmody@susmangodfrey.com

John Turner jturner@susmangodfrey.com

Shawn Rabin srabin@susmangodfrey.com

Justin Nelson jnelson@susmangodfrey.com

Ken Zylstra kzylstra@sbclasslaw.com

Lyle Stamps lstamps@sbclasslaw.com

Steve Connolly sconnolly@sbclasslaw.com

Casey Murphy cmurphy@sbclasslaw.com

Mark Sandman mms@rawlingsandassociates.com

Jeffrey Swann js5@rawlingsandassociates.com

REPRESENTING IMPAX LABORATORIES (C.A. No. 03-120) Mary Matterer mmatterer@morrisjames.com

John C. Vetter jvetter@kenyon.com

Asim Bhansali abhansali@kvn.com REPRESENTING INDIRECT PARTY PLAINTIFFS (C.A. No. 05-360):

Pamela S. Tikellis Thomas M. Sobol Patrick E. Cafferty Jeffery L. Kodroff Bernard J. Persky Michael Gottsch A. Zachary Naylor Robert Davis Brian Clobes Michael Tarringer Tim Fraser David Nalven

Greg Matthews Christopher McDonald

Kellie Safar Ted Lieverman Pat Howard

tricor@chimicles.com

Michael I. Silverman mike@silverman-mcdonald.psemail.com

Lynn A. Iannone lynn@silverman-mcdonald.psemail.com

Patrick Francis Morris pmorris@morrisandmorrislaw.com

REPRESENTING TEVA PHARMACEUTICALS (C.A. No. 02-1512): Josy W. Ingersoll Bruce M. Gagala Karen E. Keller Christopher T. Holding Ken Cohen Elaine Blais

tricor@ycst.com

REPRESENTING ABBOTT (ALL CASES):

Mary B. Graham tricor@mnat.com

William F. Cavanaugh wfcavanaugh@pbwt.com

Chad J. Peterman

cjpeterman@pbwt.com

REPRESENTING FOURNIER (ALL CASES):

Frederick L. Cottrell, III

Anne Shea Gaza Steven S. Sunshine

Matthew P. Hendrickson

Bradley J. Demuth Maggie DiMoscato Timothy C. Bickham tricor@rlf.com

/s/ Jeffrey S. Goddess

Jeffrey S. Goddess (Del. Bar No. 630) Jessica Zeldin (Del. Bar No. 3558) Rosenthal, Monhait & Goddess, P.A. Suite 1401, 919 Market Street

P. O. Box 1070

Wilmington, DE 19899-1070

(302) 656-4433

jgoddess@rmgglaw.com jzeldin@rmgglaw.com